



United States Mission to the OSCE

Response to the Report by the Representative on Freedom of the Media, Dunja Mijatović

As delivered by Ambassador Ian Kelly
to the Permanent Council, Vienna
March 29, 2012

Representative Mijatović, the United States welcomes you back to the Permanent Council and thanks you for another thoughtful and detailed report. The work of your office in advancing the causes of media freedom and the safety of journalists throughout the OSCE region is both vital and inspirational. You provide valuable advice and guidance to OSCE participating States to assist them in meeting their commitments to media freedom, train journalists and media regulators, promote best practices among media practitioners and participating States and many other important services.

We are encouraged to see more governments cooperating directly with your office to improve the media freedom climate in their countries, but issues remain. We are concerned that worrying trends regarding media freedom persist in the OSCE space since your last report.

Our greatest concern remains the continuing incidence of violence and intimidation against journalists within the OSCE region. For example, Gadzhimurad Kamalov, the editor-in-chief of Dagestan's investigative newsweekly *Chernovik*, was killed December 15 outside his newspaper's offices. In Montenegro, investigative journalist Olivera Lakic of the Podgorica daily *Vijesti* was attacked and hospitalized with a concussion earlier this month. While police have arrested a man in connection with the assault, several other death threats and attacks on her employer remain unsolved. We also note with deep concern the disturbing campaign against independent journalist and Radio Free Europe-Radio Liberty Azeri Service correspondent Khadija Ismayilova in Azerbaijan and echo your call for a thorough investigation by Azerbaijani authorities and prosecution of those responsible. We welcome the Azerbaijani Presidential Administration's condemnation of the case, as well as reports that the Government of Azerbaijan has initiated a criminal investigation. We urge the Russian Federation, Montenegro and Azerbaijan to take stronger action to protect journalists and urgently address the problem of impunity for their attackers.

The United States shares your interest in promoting media freedom on the Internet and we reiterate our belief that OSCE commitments on fundamental freedoms, such as expression, association, assembly and religion apply in the digital space, just as they do in real space. We concur with your assertion that, while governments have the responsibility to combat violent extremism, cases of misapplication of the term "extremist" have inhibited the right of freedom of expression, as well as the free flow of information. Your report documents instances of governments taking actions inconsistent with their OSCE commitments in this area. Tajikistan temporarily blocked access to the popular social media site Facebook.com and continues to block access to four independent news sites. Kazakhstan has blocked blogging platforms LiveJournal and LiveInternet, as well as Internet-based TV broadcaster

StanTV, and routinely blocks websites critical of government authorities. Kyrgyzstan continues to block access to Central Asian affairs website Fergana.ru. We urge these governments to lift these restrictions and refrain from further attempts to restrict the exercise of freedom of expression over the Internet.

The United States continues to be troubled by the efforts of some governments to employ legal mechanisms, travel restrictions or administrative obstacles to prevent individuals from exercising their freedom of expression and to restrict their citizens' access to news, opinion and information. We are deeply concerned about ongoing harassment of independent journalists and bloggers by the authorities in Belarus, such as the case of independent television cameraman Ales Barazanka in January. We were pleased by Kazakhstan's release from prison of *Vzglyad* editor-in-chief Igor Vinyavskiy, but note that his arrest was indicative of a worrying and persistent pattern of legal harassment of independent media in Kazakhstan. Representative Mijatović, we join your call for the court in Kyrgyzstan to uphold that country's constitutional and international commitments regarding freedom of expression when considering its verdict in the case of online commentator Vladimir Farafonov.

We note with concern that lengthy pre-trial detentions are sometimes perceived as punishment for journalists or bloggers with whom governments may disagree, and may have the effect of discouraging critical reporting. We were glad to see the conditional release pending trial by Turkish authorities of four journalists earlier this month who had spent more than a year in pre-trial detention. We urge the Turkish Government to release those journalists incarcerated for exercising their right of free expression and to continue the productive dialogue it has established with your office to improve the media environment in Turkey.

The United States supports your call for decriminalization of defamation. We note that Albania and Macedonia have recently made commendable moves in that direction, and that Tajikistan is considering doing so.

Because of the critical nature of the work of your office in securing media freedom, the United States will continue to provide financial and political support for your efforts. We are helping to underwrite this year's Media Conferences and note with pleasure that, for the first time, Azerbaijan has offered to host this year's South Caucasus Media Conference and Turkmenistan the Central Asian Media Conference, which we consider to be very positive developments. We appreciate your tireless efforts and thank you for your dedication, your fairness, and your unwavering belief in the fundamental importance of media freedom and freedom of expression to our security within the OSCE area.

Thank you, Mr. Chairman.